

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

K.M. SKELLY, INC.,

Plaintiff/Counter Defendant,

v.

SEASIDE PARTNERS, LLC,

Defendant/Counter Claimant.

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Civ. No. 17-920 WJ/SCY

K.M. SKELLY, INC.,

Third Party Plaintiff,

v.

SEASIDE PARTNERS, LLC,  
ADVANCED CONCRETE DESIGN, INC.,  
PLAZA BUILDERS, INC.,  
SAN MORCOL MECHANICAL CONTRACTORS, INC.,

Third Party Defendants.

**ORDER REGARDING SETTLEMENT CONFERENCE**

On February 28, 2018, the Court issued an Order setting a settlement conference and requiring the parties to exchange certain information in advance of the settlement conference. (Doc. 42). The Court realizes that its Order was ambiguous with regard to information Third Party Plaintiff K.M. Skelly, Inc. must exchange with the Third Party Defendants. The Court also realizes that what damages, if any, Plaintiff K.M. Skelly, Inc. is seeking against the Third Party Defendants might be entirely contingent upon whether the counter claims Counter-Claimant Seaside Partners, LLC has filed against Counter-Defendant K.M. Skelly, Inc. are successful. Nonetheless, so that the Third Party Defendants may adequately prepare for the settlement

conference scheduled to take place on April 25, 2018, Third Party Plaintiff K.M. Skelly, Inc. is hereby ordered to provide the respective Third Party Defendants notice of any damages it is currently aware of for which it may seek compensation. Third Party Plaintiff K.M. Skelly, Inc. must also provide a brief summary of its asserted bases for such damages. Third Party Plaintiff K.M. Skelly, Inc. shall provide any correspondence responsive to this Order no later than April 20, 2018 and shall provide the Court with a copy of any such correspondence via email to [scyproposedtext@nmcourt.fed.us](mailto:scyproposedtext@nmcourt.fed.us).

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE